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DEPARTMENT FOR EUR/SE

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SUBJECT: LEYLA ZANA, CO-DEFENDANTS BOYCOTT TRIAL

REF: ANKARA 1155 AND PREVIOUS

¶1. (U) Leyla Zana and three other Kurdish former MPs declined to attend the March 12 hearing of their retrial, a protest against reported comments by Justice Minister Cicek accusing them of "insulting" the court. Lead defense attorney Yusuf Alatas said the defendants will not attend any more hearings.

He said they were offended by a March 4 article in the daily Hurriyet in which Cicek is quoted as telling European Parliament President Pat Cox that the defendants have not been released pending the outcome of the retrial because they continue to insult the court during the hearings. The court March 12 refused, for the 12th consecutive time, a defense request that the defendants be released for the duration of the retrial.

¶2. (U) The defendants -- Leyla Zana, Hatip Dicle, Orhan Dogan, and Selim Sadak -- are former members of the pro-Kurdish independence Democracy Party. They were convicted in a controversial 1994 trial of membership in an illegal organization (the PKK). Their retrial, which began March 2003, is the first retrial under recent reform legislation allowing convicts who win their appeal to the ECHR to receive a new trial in a Turkish court.

EDELMAN